

Adopted	Rejected
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## COMMITTEE REPORT

YES:	13
NO:	0

### MR. SPEAKER:

*Your Committee on **Agriculture, Natural Resources and Rural Development**, to which was referred House Bill 1661, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 11, delete "operation" and insert "**facility**".
- 2 Page 1, line 11, delete "IC 15-5-19" and insert "**IC 15-2.1-25**".
- 3 Page 1, line 12, delete "IC 15-5-19" and insert "IC 15-2.1-25".
- 4 Page 1, line 15, delete "19" and insert "**25**".
- 5 Page 1, line 15, delete "Operations" and insert "**Facilities**".
- 6 Page 2, line 1, delete ":" and insert ",".
- 7 Page 2, line 2, delete "(1)".
- 8 Page 2, run in lines 1 through 2. .
- 9 Page 2, line 3, delete "that is operated to" and insert ".".
- 10 Page 2, line 4, before "produce" begin a new paragraph and insert:
- 11 "**Sec. 2.5. As used in this chapter, "cervidae livestock operation"**
- 12 **means a cervidae livestock facility that is operated to**".
- 13 Page 2, delete lines 6 through 8.

- 1 Page 2, line 12, delete "operation" and insert "**facility**".
- 2 Page 2, between lines 14 and 15, begin a new paragraph and insert:
- 3 "**(c) Cervidae live stock operations are agricultural enterprises**
- 4 **and are part of the farming and agricultural industry in Indiana.**".
- 5 Page 2, line 15, before "person" delete "A" and insert "**(a) Except**
- 6 **as provided in subsection (b), a**".
- 7 Page 2, line 15, delete "operation" and insert "**facility**".
- 8 Page 2, between lines 16 and 17, begin a new paragraph and insert:
- 9 "**(b) An entity is not required to obtain a license under this**
- 10 **chapter if the entity is:**
- 11 **(1) a research facility;**
- 12 **(2) a circus; or**
- 13 **(3) a publically or privately owned zoological park or petting**
- 14 **zoo;**
- 15 **that is licensed or registered by the United States Department of**
- 16 **Agriculture under the the federal Animal Welfare Act of 1970, as**
- 17 **amended (7 U.S.C. 2131 et seq.).**".
- 18 Page 2, line 17, delete "operation" and insert "**facility**".
- 19 Page 3, delete line 4 and insert "**the county commissioners and**
- 20 **any area plan commission or board of zoning appeals**".
- 21 Page 3, line 5, delete "government".
- 22 Page 3, line 6, delete ":".
- 23 Page 3, delete lines 7 through 10.
- 24 Page 3, line 11, delete "(2)".
- 25 Page 3, run in lines 6 through 11.
- 26 Page 3, line 18, delete "an initial" and insert "**a**".
- 27 Page 3, line 19, delete "operation" and insert "**facility**".
- 28 Page 3, line 29, after "The" insert "**applicant has taken actions to**
- 29 **remove the**".
- 30 Page 3, line 29, delete "have been".
- 31 Page 3, line 30, delete "removed".
- 32 Page 3, line 30, after "facility" insert "**proposed under section**
- 33 **5(a)(1)(F) of this chapter and has verified that those animals have**
- 34 **been removed**".
- 35 Page 3, line 33, after "zoning" insert "**and fence**".
- 36 Page 3, line 34, after "ordinances." insert "**If the board does not**
- 37 **receive a response from a local unit of government under section**
- 38 **5(b) of this chapter indicating that the proposed facility would**

1 **violate a local zoning or fence ordinance, the board may presume**  
 2 **that the facility complies with the local zoning and fence**  
 3 **ordinances."**

4 Page 4, line 1, delete "operation" and insert "**facility**".

5 Page 4, line 12, delete, "operations" and insert "**facilities**".

6 Page 4, line 18, after "exceed" insert ":

7 **(A)"**.

8 Page 4, line 19, delete "." and insert "; **or**

9 **(B) fifty dollars (\$50) for small facilities that do not operate**  
 10 **commercially.**

11 **All fees collected under this section shall be deposited in the**  
 12 **board's general operating account."**

13 Page 4, line 24, delete "operation" and insert "**facility**".

14 Page 4, between lines 26 and 27, begin a new line block indented:

15 **"(7) The board shall establish different classes of cervidae**  
 16 **livestock facility permits for distinct types of cervidae**  
 17 **livestock facilities and establish different standards under this**  
 18 **section for each class of facility."**

19 Page 4, line 27, delete "operation" and insert "**facility**".

20 Page 4, line 30, delete "operation" and insert "**facility**".

21 Page 4, line 42, delete "operation" and insert "**facility**".

22 Page 5, line 6, delete "operation" and insert "**facility**".

23 Page 5, line 11, after "14."insert "**(a)**".

24 Page 5, line 11, delete "shall" and insert "**may**".

25 Page 5, line 12, delete "operation" and insert "**facility**".

26 Page 5, between lines 14 and 15, begin a new paragraph and insert:

27 **"(b) The board shall issue written notice to the applicant or**  
 28 **licensee stating the board's action, the opportunity for a hearing**  
 29 **under IC 4-21.5, and the procedure and time limit for requesting**  
 30 **a hearing. If the applicant or licensee does not request a hearing**  
 31 **before the board within fifteen (15) days of receiving the notice, the**

- 1     **right to a hearing before the board is waived and the notice**
- 2     **becomes the final order under IC 4-21.5. If a hearing is requested,**
- 3     **the hearing shall be held in compliance with IC 4-21.5".**

(Reference is to HB 1661 as introduced.)

**and when so amended that said bill do pass.**

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Representative Lytle